

10-000-3318



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAK - 5 2010

THE ADMINISTRATOR

The Honorable Chris Christie
Governor of New Jersey
125 West State Street
Trenton, New Jersey 08625

Dear Governor Christie:

I congratulate you on New Jersey's success in meeting the February 17, 2010, American Recovery and Reinvestment Act (ARRA) deadline for using Clean Water and Drinking Water State Revolving Funds (SRF). According to our records, New Jersey reports that all of its ARRA SRF funding is under contract. Thank you for your partnership and leadership in moving Clean Water and Drinking Water projects to construction, bringing needed jobs into the economy.

We know these funds are vital to your state's economy and to improving basic infrastructure for your residents. When leveraged with annual SRF funding, these funds should bring a significant increase in SRF projects to New Jersey. Now that all funding is under contract, we encourage every effort to ensure that outlays proceed at an accelerated pace. EPA stands ready to help you in any way possible as we continue to implement ARRA together.

I encourage you to contact me or have your Recovery official contact Mr. Craig Hooks, Assistant Administrator for Administration and Resources Management and the Agency Senior Responsible Official for ARRA activities, if there are any issues we can help resolve as we move forward. Mr. Hooks can be reached at (202)564-4600 or by email at hooks.craig@epa.gov.

Sincerely,

A handwritten signature in black ink, which appears to read "Lisa P. Jackson", is written over the word "Sincerely,". The signature is fluid and cursive.

Lisa P. Jackson



11-000-2368

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

FEB 15 2011

THE ADMINISTRATOR

Governor Christopher Christie
Governor of New Jersey
125 West State Street
P.O. Box 001
Trenton, New Jersey 08625-0001

Dear Governor Christie:

Congress passed the American Recovery and Reinvestment Act nearly two years ago on February 17, 2009. At the time of enactment of the Recovery Act, states across the nation were struggling with the effects of one our country's most significant economic downturns. The Recovery Act provided an unprecedented resource infusion to jumpstart our economy, create or save millions of jobs, and address long-standing challenges throughout the nation. The Recovery Act provided \$7.2 billion for environmental programs that funded much needed clean water and drinking water infrastructure, implemented diesel emission reduction technologies, cleaned up leaking underground storage tanks, revitalized and reused Brownfields, and cleaned up Superfund sites.

I would like to express my thanks to your state environmental departments and agencies for their efforts and success in administering Recovery Act resources throughout your state. As of the end of calendar year 2010, 100 percent of appropriated environmental program funds have been obligated and 70 percent have been outlaid nationwide. As reported by recipients of environmental Recovery Act awards, nearly 16,000 jobs were funded during the last reporting quarter. These significant achievements are a direct reflection of the careful stewardship and extraordinary program management exhibited by state environmental, health and natural resource managers.

While much remains to be done to complete our Recovery Act projects, we look forward to partnering with you in 2011 to finish this important work, knowing that our joint efforts will protect and promote green jobs, create a healthier environment, and continue to put America back to work. If you have any questions or issues regarding outlays of Recovery Act funds, please contact me or your staff may contact Craig Hooks, Assistant Administrator for the Office of Administration and Resource Management and senior accountable official for the Recovery Act, at (202) 564-4600 or by email at hooks.craig@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa P. Jackson".

Lisa P. Jackson



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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUN 14 2012

THE ADMINISTRATOR

The Honorable Chris Christie
Governor of New Jersey
State Capitol
PO Box 001
Trenton, New Jersey 08625

Dear Governor Christie:

On June 18, the U.S. Environmental Protection Agency will announce the six winners of the 2012 Presidential Green Chemistry Challenge Awards. We are pleased to inform you that one of your constituents, Cytec Industries Inc., located in Woodland Park, New Jersey, will receive an award. Cytec Industries will be recognized for discovering a way to prevent the mineral scale that interferes with the manufacture of aluminum from bauxite ore. Please join me in congratulating Cytec Industries on their accomplishment and use of creative, yet practical, green chemistry to produce human health and environmental benefits that we will all enjoy.

The Presidential Green Chemistry Challenge Program is a voluntary partnership between the EPA, the chemical industry, and the broader scientific community. The annual awards recognize outstanding innovations in green chemistry that are scientifically, environmentally, and economically beneficial. The results of this national competition are impressive; since 1996, the 88 award-winning technologies have eliminated the use and generation of billions of pounds of toxic substances, while saving energy and lowering costs.

This year's winning technologies in particular offer dramatic benefits to human health and the environment compared to traditional technologies. These technologies are not only on the cutting edge of scientific innovation, but are also economically viable, even preferable. Some of the technologies have already achieved market entry and have the potential to realize significant economic benefit. Details are available on the program's website at www.epa.gov/greenchemistry.

If you have any questions, please contact me, or your staff may contact Sarah Hospodor-Pallone, Deputy Associate Administrator for Intergovernmental Relations at (202) 564-7178.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa P. Jackson".

Lisa P. Jackson

12-602-0157



STATE OF NEW JERSEY
OFFICE OF THE GOVERNOR
P.O. BOX 001
TRENTON
08625
(609) 292-6000

CHRIS CHRISTIE
GOVERNOR

November 28, 2012

The Honorable Lisa P. Jackson
Administrator, U.S. Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Mail Code 1101A
Washington, DC 20460

Re: State of New Jersey's Support for a Remedial Alternative for the Lower Eight
Miles of the Lower Passaic River

Dear Administrator Jackson:

As you know, the Passaic River has been at the heart of America's industrial engine for more than a hundred years, and at the same time is an important natural resource for the people of New Jersey. The Passaic runs through one of the most densely populated areas of the United States and it unfortunately remains largely unusable and presents an ongoing danger to human health and the environment. After more than 25 years of study costing millions of dollars, the Lower Passaic River remains extremely contaminated—arguably the most contaminated waterway in the country—which negatively affects human health and the environment, and which prevents the communities near the River full enjoyment of this natural resource and robs them of the same economic growth and development achieved in surrounding areas.

The goals for the State for the remediation of the Passaic River have always been to protect the health of our citizens, to provide a permanent solution to the clean-up of this waterway, to restore the environmental and economic health of the river and the surrounding communities, and to get this comprehensive clean-up started as soon as possible.

The New Jersey Department of Environmental Protection has worked closely with and assisted EPA Region 2's development of the Focused Feasibility Study (FFS) for clean-up of the Lower Eight Miles of the Passaic River. Selecting and implementing a State preferred remedy will

reduce the ongoing threat to human health and the environment and spur economic growth and revitalization along the Passaic River and throughout Northern New Jersey.

The Focused Feasibility Study evaluated three potential remedies. The potential remedy alternatives included:

- Alternative 1: No Action
- Alternative 2: Deep Dredging (removal of all fine-grained sediments)
- Alternative 3: Capping (with sufficient dredging to prevent additional flooding and to enable future navigational use in the lower 2.2 miles)

For Alternatives 2 and 3, the Focused Feasibility Study evaluated three scenarios for final disposal of the contaminated sediments. The disposal alternatives include:

- Scenario A: Confined Aquatic Disposal (CAD) in Newark Bay
- Scenario B: Off-Site Treatment and Disposal at a hazardous waste landfill
- Scenario C: Local/Regional Decontamination and Reuse

The State of New Jersey supports remedial Alternative 3 (capping with sufficient dredging to prevent additional flooding and to enable future navigational use in the lower 2.2 miles) and sediment disposal Scenario B (off-site treatment and disposal at a hazardous waste landfill).

The State has come to this position based on many factors, among them the belief that any remedial action for the Passaic River must:

- Remove as much contaminated sediment as possible in order to reduce the ongoing threat to human health and the environment by eliminating exposure to humans and animals;
- Stop the uncontrolled release and movement of contaminated sediments into Newark Bay and other parts of the estuary;
- Be consistent with reasonable long-term future uses of the Passaic River and adjacent areas, particularly its use as an important navigable waterway;
- Remove (and treat as necessary) contaminated sediments consistent with the State's Comprehensive Environmental Response Compensation and Liability Act's (CERCLA) preference for remedies which permanently and significantly reduce the volume, toxicity or mobility of hazardous substances;
- Provide for management of the waste in a manner that will not add further burden to the surrounding community's existing environmental issues; and
- Conform with New Jersey's laws and regulations.

Alternative 1 (no action) is unacceptable to New Jersey. While the State would prefer complete removal of all contaminated sediments, our position, supported by EPA's FFS, is that the capping remedy (Alternative 3) will achieve virtually the same level of protection over time from contaminated sediments in the Lower Passaic River at considerably less cost than Alternative 2 (deep dredging).

Alternative 3 also allows for reasonable future navigational use of the River. Although the navigational depths in Alternative 3 are less than those currently authorized by Congress, the depths provide a reasonable balance between long-term future uses of the River and the need for a cost-effective remediation. Furthermore, New Jersey law mandates that no net fill may be placed in the River that could cause an increase in flooding, so dredging under Alternative 3 will be sufficient to meet that requirement. This is particularly important in the Passaic River Basin, which experiences frequent and severe flooding.

Of the dredge material management options considered in the FFS, only Scenario B meets the State's objectives and goals. Off-site disposal provides the only option that permanently removes contaminated sediments from the Passaic River and the Newark Bay Complex and does not overly burden the local communities already suffering from decades of pollution.

Remedial Alternative 3 combined with disposal Scenario B also meets CERCLA's, EPA's and the State's preference for permanent treatment and reduction of hazardous substances. This course of action would significantly reduce the volume and ongoing exposure of contaminated sediments within the Passaic River and their spread to Newark Bay.

Disposal Scenario A, Confined Aquatic Disposal (CAD), likely in Newark Bay, is unacceptable to the State. As the riparian owner and trustee for the submerged lands of New Jersey, the State has an obligation to protect and preserve its submerged lands and will not agree to the use of riparian lands owned by the State for disposal of the most highly dioxin-contaminated sediments from this site.

Disposal Scenario C, which provides for local or regional decontamination and reuse, is also unacceptable to the state of New Jersey.

Under Scenario C, thermal destruction and other treatment technologies, including sediment washing, for decontamination and reuse are questionable as to their ability to treat the volume of contaminated sediments that will be removed from the Passaic River. We do agree that such treatments should be considered in conjunction with off-site disposal.

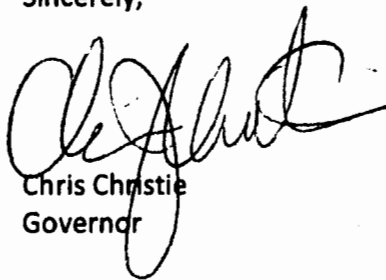
The State opposes any thermal destruction facility placed near the Passaic River or surrounding communities. This densely populated urban area is already burdened with environmental impacts, particularly from air pollutants. Urban communities near the Passaic River have suffered enough because of the contamination in the River and should not be burdened with further exposure from incineration or thermal destruction of dioxin-contaminated sediments.

Because of the extent of the contamination, any remedy selected will involve significant costs; to delay a remedy only ensures greater future costs. New Jersey believes that the cost estimates presented by EPA in the FFS provide a useful guide to comparing the remedial alternatives, but the State understands that the total cost estimates are for comparison only and that the actual costs are very likely to be higher when the remedy is implemented.

Implementing Alternative 3 and Scenario B would provide the best balance of protection and cost, and would meet the State's objectives and goals.

My Administration has worked tirelessly to ensure that New Jersey's air, water, land and natural resources are protected for the public's benefit, while simultaneously facilitating economic growth and sustainability in all business sectors. The extreme level of contamination in the sediments of the Lower Passaic River has long hindered our attainment of these objectives in that portion of the state. Not only will removal and stabilization of the uncontrolled sources substantially improve the environment, it will spur economic growth and revitalization along the Passaic River and throughout Northern New Jersey. After more than 25 years of study, the time to act is now.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Christie", written over the printed name and title.

Chris Christie
Governor



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 29 2013

THE ADMINISTRATOR

The Honorable Chris Christie
Governor of New Jersey
Office of the Governor
Post Office Box 001
Trenton, New Jersey 08625

Dear Governor Christie:

Thank you for your letter of November 28, 2012, regarding New Jersey's preferred cleanup plan for the Lower Eight Miles of the Lower Passaic River. The U.S. Environmental Protection Agency fully agrees with the need to protect public health and the environment through the remediation of the Passaic River, and shares your hope for restoring the environmental and economic vitality of the river and neighboring communities.

The EPA regional staff who manage the Passaic River cleanup project met on December 12 and 13, 2012, with the EPA's National Remedy Review Board to present an approach to remediating the Lower Eight Miles of the Lower Passaic River. Representatives of the New Jersey Department of Environmental Protection also attended the meeting and presented the state's position. The Board is expected to respond to the region's approach in approximately one month. The EPA will consider the Board's comments in finalizing the study and proposed plan for the Passaic River, which we expect to release for public review and comment in mid-2013.

Thank you for supporting the cleanup of the Passaic River and the need to protect public health and the environment. Again, thank you for your letter. If you have further questions, please contact me or your staff may call Sarah Hospodor-Pallone, Deputy Associate Administrator for Intergovernmental Relations, at 202-564-7178.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa P. Jackson", is written over a horizontal line.

Lisa P. Jackson



13-660-1170

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 29 2013

THE ADMINISTRATOR

The Honorable Chris Christie
Governor of New Jersey
Office of the Governor
Post Office Box 001
Trenton, New Jersey 08625

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Sincerely,

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Lisa P. Jackson



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

November 8, 2011

THE ADMINISTRATOR

The Honorable Christopher Christie
Governor of New Jersey
P.O. Box 004
Trenton, New Jersey 08625

Dear Governor Christie:

Today, the U.S. Environmental Protection Agency is completing area designations for the 2008 Lead National Ambient Air Quality Standards. Based on the most recent air quality monitoring data, the EPA is designating all of New Jersey as unclassifiable/attainment. I appreciate the information that New Jersey shared with the EPA as we take this step to inform citizens about their air quality and continue the process of protecting public health by reducing lead levels in the air where necessary.

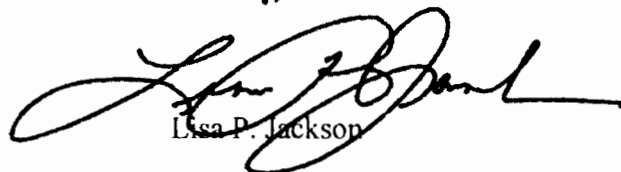
Reducing levels of lead pollution is an important part of the EPA's commitment to a clean, healthy environment. Lead exposure can cause a range of adverse health effects, most notably in children. Exposures to low levels of lead early in life have been linked to effects on Intelligence Quotient, learning, memory and behavior.

On October 15, 2008, the EPA substantially strengthened the National Ambient Air Quality Standards for lead. The level of the 2008 lead standards, set at 0.15 micrograms per cubic meter, is 10 times tighter than the previous standards. In conjunction with strengthening the lead standards, the EPA has improved the existing lead monitoring network by requiring monitors to be placed in areas with sources, such as industrial facilities, that emit one-half ton or more per year of lead, and at other sites.

The Clean Air Act requires the EPA to complete the process of designating areas within two years of establishing a new or revised air quality standard. The EPA may extend the designation process by up to one year if the agency has insufficient information to make these designations. Because the expanded lead monitoring network provided additional data for consideration, the EPA is completing the lead designations in two rounds. In the first round, established on November 16, 2010, the EPA designated as "nonattainment" 16 areas that violated the 2008 Lead National Ambient Air Quality Standards based on data from the pre-2010 monitoring network. For all other areas, the EPA extended the deadline for designations by up to one year so that data from the newly deployed monitors could be considered in making appropriate designation decisions. States and tribes were given an opportunity to update their recommendation letters for those remaining areas for our consideration in the second round of designations by December 15, 2010. The EPA notified states and tribes of our preliminary responses to their recommendations on June 15, 2011.

Thank you for your continued work to improve air quality. We look forward to working with you and your staff to reduce lead in the air. Staff in your EPA regional office is available to answer questions and discuss implementation matters further with your staff. For additional technical information, please visit <http://www.epa.gov/leaddesignations>.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa P. Jackson", written over a printed name.

Lisa P. Jackson



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 20 2012

The Honorable Christopher Christie
Governor of New Jersey
P.O. Box 004
Trenton, New Jersey 08625

THE ADMINISTRATOR

Dear Governor Christie:

The U.S. Environmental Protection Agency today is completing area designations for the 2010 Primary Nitrogen Dioxide National Ambient Air Quality Standard. Available air-monitoring data from 2008-10 show no violations of the standard within your area. Accordingly, the EPA is designating all of the area in New Jersey as "unclassifiable/attainment."

As you know, the EPA on January 22, 2010, strengthened the National Ambient Air Quality Standard for NO₂; it is now a new 1-hour standard of 100 parts per billion. Along with strengthening the NO₂ standard, the EPA required changes to the existing NO₂ monitoring network by requiring monitors in large urban areas and near major roads where the public might be exposed to unhealthy levels of NO₂.

The EPA and state and tribal agencies are currently working to establish an expanded network of NO₂ monitors, expected to be deployed in 2013. Once three years of air-quality data have been collected from the expanded network, the EPA will be better able to determine NO₂ air quality in additional locations.

Within two years of establishing a new or revised air-quality standard, the Clean Air Act requires the EPA to complete the process of designating areas as meeting or not meeting the standard. The EPA notified states and tribes of our preliminary responses to their recommendations for area designations on June 29, 2011. For additional information, please visit <http://www.epa.gov/airquality/nitrogenoxides/designations/>.

Ensuring that levels of NO₂ pollution remain below the 2010 standard is an important part of the EPA's commitment to a clean, healthy environment. NO₂ exposure can cause a range of adverse health effects, including increased asthma symptoms, more difficulty controlling asthma and an increase in respiratory illnesses and symptoms.

I appreciate the information that New Jersey shared with the EPA as we take this step to inform citizens about their air quality and continue our efforts to protect public health. We look forward to working with you and your staff to continue to protect air quality. If you have questions, please contact me or your staff may call Sarah Hospodor-Pallone, Deputy Associate Administrator for Intergovernmental Relations, at 202-564-7178.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Jackson", written over a horizontal line.

Lisa P. Jackson

Internet Address (URL) • <http://www.epa.gov>

R2-10-000-3788-c



State of New Jersey

OFFICE OF THE GOVERNOR

PO Box 001

TRENTON, NJ 08625-0001

CHRIS CHRISTIE
Governor

March 8, 2010

Honorable Bob Martin
Acting Commissioner
Department of Environmental Protection
P.O. Box 402
Trenton, New Jersey 08625-0402

Dear Acting Commissioner Martin:

The Federal Clean Air Act, 42 U.S.C. § 7401 et seq., requires the State to adopt and submit State Implementation Plans for control of air pollution to the Administrator of the United States Environmental Protection Agency. These plans detail the State's program for the implementation, maintenance and enforcement of the National Ambient Air Quality Standards for the protection of public health and welfare.

Consistent with the Department of Environmental Protection's responsibilities under the State Air Pollution Control Act, N.J.S.A. 26:2C-1 et seq., and its authority under N.J.S.A. 13:1D-7 and 13:1D-9, and in order to further ensure timely compliance with the requirements of the Federal Clean Air Act, I hereby designate you, as Commissioner of the Department, ex officio, to act on my behalf with respect to any State submittals to the United States Environmental Protection Agency, whether required or authorized, under the Federal Clean Air Act. You may not designate any other person or entity to act on my behalf under this authorization.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Christie".

Chris Christie
Governor

c: The Honorable Judith A. Enck, USEPA Region II
bc: Chris Salmi, NJDEP
Sharon Davis, NJDEP
Ray Werner, USEPA Region II
SIP Official File